

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

October 09, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

MIGUEL GONZALEZ (1)
NORBERTO GONZALEZ (2)Defendant(s)

BY:

CM

DEPUTY

Case No. SA-24-MJ-1412

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 8, 2024 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 933

Trafficking in Firearms

Penalties: Up to 15 years imprisonment; a fine up to \$250,000, or both
such fine and imprisonment; mandatory \$100 special assessment; and,
maximum 3 years supervised release

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.THOMAS E FALLON Digitally signed by THOMAS E FALLON
Date: 2024.10.09 10:02:45 -05'00'*Complainant's signature*

Thomas Fallon, Special Agent

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

*Judge's signature*Date: October 9, 2024City and state: San Antonio, Texas

Richard B. Farrer, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

I, Tom Fallon, being first duly sworn, do depose and state the following:

I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), and I have been so employed since April 2007. I am currently assigned to the Homeland Security Investigations (HSI) Special Agent in Charge (SAC) in San Antonio, Texas. I am a graduate of the Federal Law Enforcement Training Center and as a result of my training and experience as a Homeland Security Investigations Agent, my duties include (but are not limited to) the investigation and enforcement of Titles 8, 18, 19, 21, and 33 of the United States Code.

Beginning on September 24, 2024, your affiant instructed an HSI confidential informant (CI) to place an add on a website for the sale of an automatic machine gun that belonged to the HSI. Your affiant asserts that based upon his experience international firearms traffickers utilize these websites to purchase illegal firearms. From September 24, 2024, through October 8, 2024, your affiant monitored cellular phone calls to the CI, who was utilizing a consensual recorded line. During these calls, two Hispanic male brothers, who were later identified as Norberto and Miguel GONZALES agreed to purchase two automatic rifles and one 50 caliber semi-automatic rifle for \$18,000 in United States currency. The two automatic rifles and 50 caliber semiautomatic rifle belong to HSI and were manufactured outside the state of Texas and were brought into Texas for the purpose of the sale.

During the negotiations for the firearms purchase, Norberto and Miguel GONZALEZ informed the CI that they (Norberto and Miguel GONZALES) were purchasing the firearms for a Mexican drug cartel. Norberto and Miguel GONZALES also informed the CI that the two automatic rifles and one 50 caliber semi-automatic rifle were going to be smuggled to the Mexican drug cartel immediately.

Based upon this information, law enforcement personnel set up a surveillance operation on October 8, 2024, in San Antonio, Texas, in the Western District of Texas. During this operation, the CI and an HSI undercover (UC) agreed to meet with Norberto and Miguel GONZALEZ at a Wal-Mart parking lot in San Antonio, Texas to sale the two automatic rifles and one 50 caliber semiautomatic rifle to them. At approximately 1700 hours, Norberto and Miguel GONZALEZ arrived at the Walmart parking lot in San Antonio, Texas in separate vehicles and made contact with the CI and UC. During the meeting, Norberto and Miguel GONZALEZ inspected the firearms and then both handed

the CI United States currency in the amount that had been previously negotiated. After the money was exchanged, law enforcement personnel arrived in their government issued vehicles and took Norberto and Miguel GONZALEZ into custody.

Based upon the above information, your affiant believes that probable cause exists to find that Norberto and Miguel GONZALEZ attempted to traffic firearms in violation of Title 18, United States Code, Section 933.

THOMAS E
FALLON

Digitally signed by THOMAS E
FALLON
Date: 2024.10.09 10:03:30 -05'00'

Thomas Fallon
Special Agent
Homeland Security Investigations

Sworn telephonically on me this 9th day of October 2024.



HON. RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE